## Local Government Mandate Statement Kentucky Legislative Research Commission 2023 Regular Session

## **Part I: Measure Information**

Bill Request #: 2
Bill #: SB 15
<b>Document ID #:</b> 1273
Bill Subject/Title: AN ACT relating to consumer data privacy.
Sponsor: Senator Whitney Westerfield
Unit of Government: X City X County X Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: Local government legislative bodies
Requirement: X Mandatory Optional
Effect on  Powers & Duties: X Modifies Existing X Adds New Eliminates Existing

## Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

SB 15 would create 12 new sections of KRS Chapter 367 to be known as "The Consumer Data Protection Act."

**Section 12** would establish that the Act supersedes and preempts all rules, regulations, codes, ordinances, and other laws adopted by a city, county, charter county, urban-county government, consolidated local government, unified local government, municipality, or local agency regarding processing of personal data by controllers or processors.

The fiscal impact of SB 15 on local governments is undeterminable, but expected to be minimal. The primary impact of the bill to local governments is that the local government may need to overhaul relevant ordinances that conflict with the provisions of SB 15.

Amending ordinances would require the services of an attorney, and publication costs. According to Kentucky League of Cities, most cities, especially the smaller ones, retain

their city attorney on contract and pay on an hourly basis. Time spent drafting an ordinance is influenced by its complexity and the amount of research that is necessary. The latest estimate of the sum paid by cities to their attorneys is an average hourly rate of \$107-\$117.

## Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II applies to SB 15 as introduced. There is no earlier version for comparison.

**Data Source(s):** LRC staff; Kentucky League of Cities

Preparer: Mary Stephens Reviewer: KHC Date: 2/15/23